



THE CITY OF NEW YORK
LAW DEPARTMENT

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March 9, 2011

BY ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jeffrey Jeffers v. City of New York, et al., 11 CV 0339 (RRM) (CLP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of defendant City of New York. In that capacity, I write with the consent of plaintiff's counsel, Christopher Wright, Esq., to respectfully request a sixty-day enlargement of time, until May 6, 2011, within which the City of New York may answer or otherwise respond to the complaint. This is the first request for an enlargement of time.

In his complaint, plaintiff Jeffrey Jeffers claims that he was subjected to excessive force by New York City Police Officers on July 10, 2010, and subsequently denied timely medical treatment for the injuries allegedly sustained as a result of same. Before we can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. An enlargement of time will allow this Office to forward to plaintiff for execution an authorization for the release of records sealed pursuant to New York Criminal Procedure Law § 160.50. Pursuant to that statute, all records concerning the arrest and prosecution of plaintiff were sealed by court order upon the termination of the criminal action in favor of plaintiff. Additionally, given the allegations in this case concerning plaintiff's physical and/or psychological injuries, an enlargement of time will allow this Office to forward to plaintiff for execution an authorization for the release of plaintiff's medical records. Accordingly, City defendant requires this enlargement so that this Office may obtain the underlying documentation, properly investigate the allegations of the complaint and fulfill our obligations under Rule 11 of the Federal Rules of Civil Procedure.

In view of the foregoing, it is respectfully requested that the Court grant the within request. Thank you for your consideration.

Respectfully submitted,

/s/

Noreen Stackhouse
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Christopher Wright, Esq. (by ECF)
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